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UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF MISSOURI
DIVISION

STL

Luis S Salinas)

Plaintiff(s),)

v.)

TKC HOLDINGS & KEEFE GROUP)
TRINITY SERVICES, MYCAREPAK,)
ACCESS CORRECTIONS /)
SECUREPAK,)
TTO, CSR, & More)

Defendant(s). (Enter above the full name(s))
of all defendants in this lawsuit. Please)
attach additional sheets if necessary.))

Case No. _____
(to be assigned by Clerk of District Court)

JURY TRIAL DEMANDED

YES ☒ NO ☐

EMPLOYMENT DISCRIMINATION COMPLAINT

1. This employment discrimination lawsuit is based on (check only those that apply):

☒ Title VII of the Civil Rights Act of 1964, as amended, 42 U.S.C. §§ 2000e, *et seq.*, for employment discrimination on the basis of race, color, religion, gender, or national origin.
NOTE: *In order to bring suit in federal district court under Title VII, you must first obtain a right-to-sue letter from the Equal Employment Opportunity Commission.*

☐ Age Discrimination in Employment Act of 1967, as amended, 29 U.S.C. §§ 621, *et seq.*, for employment discrimination on the basis of age (age 40 or older).
NOTE: *In order to bring suit in federal district court under the Age Discrimination in Employment Act, you must first file charges with the Equal Employment Opportunity Commission.*

☒ Americans with Disabilities Act of 1990, as amended, 42 U.S.C. §§ 12101, *et seq.*, for employment discrimination on the basis of disability.
NOTE: *In order to bring suit in federal district court under the Americans with Disabilities Act, you must first obtain a right-to-sue letter from the Equal Employment Opportunity Commission.*

- ☒ Rehabilitation Act of 1973, as amended, 29 U.S.C. §§ 701, *et seq.*, for employment discrimination on the basis of a disability by an employer which constitutes a program or activity receiving federal financial assistance.

NOTE: *In order to bring suit in federal district court under the Rehabilitation Act of 1973, you must first file charges with the appropriate Equal Employment Office representative or agency.*

- ☒ Other (Describe)

PARTIES

2. Plaintiff's name: LUIS S SALINAS

Plaintiff's address: 315 Frankford Rd
Street address or P.O. Box

Lousiana, Missouri, 63353
City/ County/ State/Zip Code

5732688228
Area code and telephone number

3. Defendant's name: TKC HOLDINGS / KEEFE GROUP

Defendant's address: 1260 Andes Blvd
Street address or P.O. Box

Saint Louis, Missouri
City/County/State/ Zip Code

.63132
Area code and telephone number

NOTE: IF THERE ARE ADDITIONAL PLAINTIFFS OR DEFENDANTS, PLEASE PROVIDE THEIR NAMES, ADDRESSES AND TELEPHONE NUMBERS ON A SEPARATE SHEET OF PAPER.

4. If you are claiming that the discriminatory conduct occurred at a different location, please provide the following information:

10880 Linpage Pl, St. Louis, MO 63132

(Street Address)

(City/County)

(State) (Zip Code)

5. When did the discrimination occur? Please give the date or time period:

(During) 08/2019 thru 10/07/2019. (After) 03/2020 thru Current.

ADMINISTRATIVE PROCEDURES

6. Did you file a charge of discrimination against the defendant(s) with the Missouri Commission on Human Rights?

☐ Yes Date filed: _____

☒ No

7. Did you file a charge of discrimination against the defendant(s) with the Equal Employment Opportunity Commission or other federal agency?

☒ Yes Date filed: 07/31/2020 _____

☐ No

8. Have you received a Notice of Right-to-Sue Letter?

☒ Yes

☐ No

Received Right-to-Sue letter
on September 23rd, 2020.

If yes, please attach a copy of the letter to this complaint.

Within deadlines.

9. If you are claiming age discrimination, check one of the following:

____ 60 days or more have passed since I filed my charge of age discrimination with the Equal Employment Opportunity Commission.

____ fewer than 60 days have passed since I filed my charge of age discrimination with the Equal Employment Opportunity Commission.

NATURE OF THE CASE

10. The conduct complained of in this lawsuit involves (check only those that apply):

- ☒ ^(r2) failure to hire me
- ☒ termination of my employment
- ☐ failure to promote me
- ☒ failure to accommodate my disability
- ☒ terms and conditions of my employment differ from those of similar employees
- ☒ retaliation
- ☒ harassment
- ☒ other conduct (specify):

Corporal Punishment with the intention to humiliate me for my injury. Did so by disabling my entry badge while I was dealing with a knee issue, and after giving me issues about seeing my Doctor and wearing a knee brace.

Did you complain about this same conduct in your charge of discrimination?

☒ Yes

☐ No

11. I believe that I was discriminated against because of my (check all that apply):

- ☒ race
- ☒ religion
- ☒ national origin
- ☒ color
- ☒ gender
- ☒ disability
- ☐ age (birth year is: _____)
- ☒ other:

Did you state the same reason(s) in your charge of discrimination?

☒ Yes ☐ No

12. State here, as briefly and clearly as possible, the essential facts of your claim. Describe specifically the conduct that you believe is discriminatory and describe how each defendant is involved in the conduct. Take time to organize your statement; you may use numbered paragraphs if you find it helpful. It is not necessary to make legal arguments, or to cite cases or statutes.

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(Continue to page 6, if additional space is needed.)

I am a disabled Eurasiatic / Mestizo (mixed race) individual of Hispanic national origin. I was employed by the above referenced employer from August 2019 until I was terminated on October 7, 2019. My last position was Bilingual Customer Service Representative. From August 2019, until October 7th, 2019, I was subjected to various adverse actions by different members of management that specifically included Gary McLeary & Kenya Butler among others, Call Center Manager. The alleged adverse actions consisted of, but were not limited to being called Speedy Gonzales, being denied disability based reasonable accommodations, including denying me a knee brace & Doctor visit.

Then having my Entry Badge disabled, while I went to get medicine from car, and locked out of the building with no way to return in; in order to exacerbate knee & other injuries I was dealing with. Company shown to be so non-compliant, that they did not even have a guard on shift, nor did the floor manager care I was gone for such a long time on "break" despite being vigilant in this. This shows it was premeditated & or negligent. I ended up getting back in by calling the Call Center and convincing them I wasn't a prankster and wasn't outside.

The next day I did not have a functional entry badge, as Manager did not fix it that night, nor provide any concern; so I went through the front door where the Secretary was who let in Guests and people without Badges. Hours later, after the Call Center Manager came in, I was called into the office & reprimanded for going through the front door and making them "look bad" even though there was no other way for me to get in. I was told he disabled my badge on purposes, insulted in a violation of my rights, threatened, and told to just go home by the Manager, I insisted I had rights and I wished to speak to HR as well as do a review any exacerbations of my medical condition due to being locked out. I was told to go home, and HR would call me. I was contacted by HR, and on October 7th, 2019; that my employment was terminated. This is a rough summary, much more happened. I believe I was subjected to the aforementioned adverse actions due to my race, national origin, religion, gender, disability, and in retaliation for engaging in protected activity (requesting disability and religious based reasonable accommodations).

Based on the above stated reasons, I believe I was discriminated against on the basis of my race, national origin, religion, and disability, and retaliated against for engaging in protected activity in violation of Title VII of the Civil Rights Act of 1964, as amended, and the Americans with Disabilities Act, as amended, as well as Section 503 of the Rehabilitation Act; as my company was a Federal Subcontractor.

(Attach additional sheets as necessary).

13. The acts set forth in paragraph 12 of this complaint:

- ☐ are still being committed by the defendant.
- ☐ are no longer being committed by the defendant.
- ☒ may still be being committed by the defendant.

May still be going on because company has engaged in sophisticated blacklisting against me and my candidacy at their body of companies, as well as denied me WC / Safety Process provisions... and continued to deny me Safety related protocols in on-going communications with their staff.

REQUEST FOR RELIEF

State briefly and exactly what you want the Court to do for you. Make no legal arguments;

cite no cases or statutes.

I wish for the Court to bring justice to this matter by ordering; (1) Restore my employment with reasonable accommodation, but only if... (2) The company completely audits itself of this discrimination and purges it, so that me and people like me will be safe. (3) Compensation for the time I would have been working if I had not been wrongfully terminated. (4) To make me & my family whole for the additional sufferings/damages related to the harassment, corporal punishment, and psychological terror subjected to during this discriminatory period & its outcome. In addition/or, other relief as deemed appropriate by the Court.

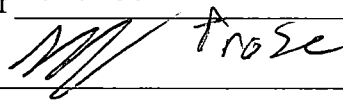
14. Under Federal Rule of Civil Procedure 11, by signing below, I certify to the best of my knowledge, information, and belief that this complaint: (1) is not being presented for an improper purpose, such as to harass, cause unnecessary delay, or needlessly increase the cost of litigation; (2) is supported by existing law or by a nonfrivolous argument for extending, modifying, or reversing existing law; (3) the factual contentions have evidentiary support or, if specifically so identified, will likely have evidentiary support after a reasonable opportunity for further investigation or discovery; and (4) the complaint otherwise complies with the requirements of Rule

I agree to provide the Clerk's Office with any changes to my address where case-related papers may be served. I understand that my failure to keep a current address on file with the Clerk's Office may result in the dismissal of my case.

I declare under penalty of perjury that the foregoing is true and correct.

Signed this 17 day of December, 2020.

Signature of Plaintiff

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